

and unveiling the portrait of the Hon. Jesse Holman Jones.

Lieutenant Governor Woodul called the Senate to order.

Hon. Walter F. Woodul then introduced the following in the order named who addressed the joint session and the assemblage paying tribute to the Hon. Jesse Holman Jones: Hon. Frank Andrews of Houston, Texas, U. S. Senator Albin Barkley of Kentucky, Hon. James P. Buchanan, U. S. Congressman of Texas; Col. Ernest Thompson, Chairman of the Railroad Commission of Texas; Hon. Wm. McCraw, Attorney General of Texas.

Hon. Walter Woodul then introduced Mrs. Jesse Holman Jones to the joint session and the assemblage.

Lieutenant Governor Walter Woodul presented the Hon. James V. Allred, Governor of Texas, who addressed the joint session and presented the following ex-Governor's of Texas:

Hon. O. B. Colquitt, Hon. James E. Ferguson, Hon. W. P. Hobby, Hon. Pat M. Neff, Hon. Miriam A. Ferguson and Hon. Dan Moody.

Lieutenant Governor Walter F. Woodul on behalf of the State of Texas and the Senate of the State of Texas, accepted the portrait of the Hon. Jesse Jones and instructed the clerk to unveil the portrait, during which time the University of Texas band played the "Eyes of Texas."

Hon. Jesse Holman Jones was then introduced and addressed the joint session.

SENATE RETIRES

At 5:00 o'clock p. m., at the conclusion of the ceremony, the Senate retired to its chamber.

SENATE BILLS ON FIRST READING

The following Senate Bills received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 24 to the Committee on Appropriations.

Senate Bill No. 51 to the Committee on Education.

Senate Bill No. 35 to the Committee on Appropriations.

ADJOURNMENT

On motion of Mr. Farmer, the House at 5:20 o'clock p. m., adjourned until 9:30 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills as follows:

Conservation and Reclamation: House Bill No. 114.

Highways and Motor Traffic: Senate Bill No. 45.

Judiciary: House Bill No. 103.

Liquor Traffic: Senate Bill No. 16.

School Districts: House Bill No. 100.

FIFTEENTH DAY

(Tuesday, October 8, 1935)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker	Daniel
Adamson	Davis
Adkins	Davison of Fisher
Aikin	Davisson
Alexander	of Eastland
Alsup	Dickison
Ash	Dunagan
Atchison	Dunlap of Hays
Beck	Dunlap of Kleberg
Bergman	Duvall
Bourne	Dwyer
Bradbury	England
Bradford	Fain
Broyles	Farmer
Burton	Fisher
Butler of Brazos	Ford
Butler of Karnes	Fox
Cagle	Frazer
Caldwell	Fuchs
Calvert	Gibson
Canon	Glass
Celaya	Good
Clayton	Gray
Collins	Greathouse
Colquitt	Hankamer
Cooper	Hanna
Cowley	Hardin
Craddock	Harris of Archer
Crossley	Harris of Dallas

Hartzog	Nicholson
Head	Olsen
Herzik	Palmer
Hill	Patterson
Hodges	Payne
Hofheinz	Petsch
Holland	Quinn
Hoskins	Reader
Howard	Reed of Bowie
Huddleston	Reed of Dallas
Hunt	Riddle
Hunter	Roach of Angelina
Hyder	Roach of Hunt
Jackson	Roane
James	Roark
Jefferson	Roberts
Jones of Atascosa	Rogers
Jones of Falls	Russell
Jones of Shelby	Rutta
Jones of Wise	Scarborough
Keefe	Sessions
King	Shofner
Knetsch	Smith
Lange	Spears
Lanning	Stanfield
Latham	Steward
Leath	Stinson
Lemens	Stovall
Leonard	Tarwater
Lindsey	Tennyson
Lotief	Thornton
Lucas	Tillery
Luker	Venable
Mauritz	Waggoner
McCalla	Walker
McConnell	Wells
McKinney	Westfall
Moffett	Wood of Harrison
Moore	Wood of Montague
Morris	Worley
Morrison	Young
Morse	Youngblood
Newton	

Absent

Colson Graves

Absent—Excused

Fitzwater	Padgett
McFarland	Pope
McKee	Settle

A quorum was announced present.

Rev. George W. Coltrin, Chaplain, offered the following invocation:

"Lord, as we come to the closing days of this session wilt Thou clarify our minds, direct our activities, and if need be, restrain us, to the end that our work may be finally good for all our people and our State. For Christ's sake. Amen."

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence on account of important business:

Mr. Adkins for today, on motion of Mr. Jones of Falls.

Mr. McKee for today, on motion of Mr. Knetsch.

Mr. Pope for today, on motion of Mr. Cagle.

Mr. McFarland for today, on motion of Mr. Walker.

Mr. Settle for yesterday, today, and indefinitely, on motion of Mr. Dunlap of Hays.

The following members were granted leaves of absence on account illness:

Mr. Padgett for today, on motion of Mr. Ford.

Mr. Spears for today, on motion of Mr. Roane.

MESSAGE FROM THE SENATE

Austin, Texas, October 7, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 35, A bill to be entitled "An Act making an appropriation to make certain repairs to the roof, skylights and interior of the State Capitol building; and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

CONCERNING EXPENSES OF
COMMITTEE APPOINTED
IN REGARD TO OIL
INDUSTRY

Mr. Cooper offered the following resolution:

Whereas, There was passed at the Regular Session of the Forty-fourth Legislature, H. S. R. No. 126, authorizing the appointment of a Committee to investigate various phases of the oil industry and its administration by State agencies; and

Whereas, Said Committee has been unable to complete its labors because of the inadequacy of the appropriation made for its uses and purposes; and

Whereas, The said Committee is in possession of much undeveloped in-

formation of sufficient importance to warrant the further attention of the Committee and of the House of Representatives; and

Whereas, The Chairman of the Railroad Commission has stated under oath that the work thus far on said Committee has been the most constructive of any he has yet seen and has expressed the desire for the continuation of such work; now, therefore, be it

Resolved by the House of Representatives, That said Committee heretofore appointed under and by virtue of the provisions of House Simple Resolution No. 126, passed at the Regular Session of the Forty-fourth Legislature be and it is hereby authorized to pay the further and necessary expenses incident to said investigation, including traveling expenses of the members, witness fees, stenographers fees, telephone and telegraph and all other such necessary expenses out of the Contingent Expense Fund of the House of Representatives; same to be paid by the Chairman of the Committee on Contingent Expense, upon the sworn account of any member of said Committee, approved by the Chairman of said Investigating Committee and the Speaker of the House; be it further

Resolved, That there is hereby appropriated out of the Contingent Expense Fund such sums as may be necessary for the purpose of paying such expenses.

COOPER,
ALSUP,
ALEXANDER,
STEWART,
GRAVES,
LATHAM,
JONES of Atascosa,
CELAYA,
HOWARD.

The resolution was read second time.

Mr. Reed of Bowie raised a point of order on further consideration of the resolution by Mr. Cooper at this time, on the ground that the time allotted for the consideration of resolutions has expired.

The Speaker sustained the point of order.

Mr. Alsop moved that the time allotted for the consideration of resolutions be extended at this time, for the purpose of considering the above resolution.

The motion was lost.

TO SUSPEND CERTAIN JOINT RULES

Mr. Calvert offered the following resolution:

H. C. R. No. 13, To suspend certain joint rules to consider House Bills, Nos. 1, 16 and 43.

Be it resolved by the House of Representatives, the Senate concurring, That Sections 22 and 23 of the joint rules and sub-section 5 of Section 11 of the Senate Rules and Section 6 of Rule 19 of the House Rules all be suspended, for the purpose of taking up and considering until finally disposed of House Bills 1, 16, and 43.

CALVERT,
FAIN.

The resolution was read second time, and was adopted.

ARTICLES OF IMPEACHMENT PREFERRED

Mr. Hunter offered the following resolution:

Whereas, A committee of the House of Representatives of the Legislature of the State of Texas has conducted an investigation pursuant to the provisions of House Concurrent Resolution Number 105, adopted at the Regular Session of the Forty-fourth Legislature; and

Whereas, The findings of said Committee as presented to the House of Representatives in the Minority Report of such Committee reveal violations of the laws of the State of Texas and other acts of malfeasance and official misconduct on the part of J. E. McDonald, Commissioner of Agriculture of the State of Texas, which are considered by the House of Representatives to be of an impeachable nature and to warrant the preferment of impeachment charges by the House of Representatives against the said J. E. McDonald in the Senate; now, therefore, be it

Resolved by the House of Representatives, That the House has been apprised of sufficient evidence to warrant the impeachment of the said J. E. McDonald; and be it further

Resolved, That the House consider the Articles of Impeachment attached hereto, and that the Speaker be, and he is hereby authorized to appoint a Board of Managers composed of five

members of the House to present said Articles of Impeachment to the House for its approval, and, if adopted, present them to the Senate of Texas; said Board of Managers, with the assistance of the Attorney General's Department and the State Auditor's Department, to present to the Senate the evidence in support of these Articles of Impeachment adopted pursuant to this resolution.

HUNTER,
CANON.

Committee Room,
Austin, Texas, October 3, 1935.
Honorable Coke R. Stevenson, Speaker
of the House of Representatives,
Austin, Texas.

Sir: We, the undersigned members of the Committee appointed under and by virtue of the provisions of House Concurrent Resolution No. 105, adopted at the regular session of the Forty-fourth Legislature, to investigate the official conduct of J. E. McDonald, Commissioner of Agriculture of the State of Texas, and the administration by him of the affairs of the Department of Agriculture, beg leave to submit the following articles of impeachment against the said J. E. McDonald, with the recommendation that said articles of impeachment be adopted by the House of Representatives and presented to the Senate.

Signed,
E. E. HUNTER,
C. C. CANON.

ARTICLES OF IMPEACHMENT

Articles exhibited and presented by the House of Representatives in their name and in the name of the people of The State of Texas against J. E. McDonald, Commissioner of Agriculture in maintenance of and predicated upon the minority report of the above named committee heretofore adopted by the House of Representatives, these said Articles of Impeachment representing:

Article 1. That the said J. E. McDonald, while serving in the capacity of the Commissioner of Agriculture for the State of Texas, knowingly and wilfully paid and caused to be paid to his brother, A. E. McDonald, out of funds in and belonging to the State Treasury of the State of Texas, the sum of \$315.00 pursuant to an agreement entered into with his said brother

for the transportation of certain animals, towit: Jacks and stallions belonging to the State of Texas, the same being in violation of the laws of the State of Texas.

Article 2. That on or about the second day of March, 1934, and for sometime prior thereto and subsequent thereto, the said J. E. McDonald, while serving and acting in his official capacity as Commissioner of Agriculture for the State of Texas, knowingly and wilfully connived and conspired with his brother, A. E. McDonald, and one Jim Tate to evade the provisions of Articles 432, 433, 434, and 437, of the Penal Code of the State of Texas, and by so conniving and conspiring did evade the provisions of said Articles of the Penal Code of the State of Texas, all of which was done in violation of the laws of this State.

Article 3. That the said J. E. McDonald, on divers occasions while acting in his official capacity as Commissioner of Agriculture for the State of Texas, has been guilty of gross negligence of duty in permitting his employee and agent, towit: W. D. Thurman, to accept commissions not authorized by law, and bribes, in violation of the laws of this State, in the sum of \$1625.00, all of which was known to or could easily have been ascertained by the said J. E. McDonald.

Article 4. That the said J. E. McDonald, during the year 1934, while acting in his official capacity as the duly elected Commissioner of Agriculture of the State of Texas, did then and there, unlawfully, wilfully and corruptly accept a bribe from one J. C. Robison, W. D. Thurman and one Dr. E. G. Wheeler, that he did accept two mares of the value of \$250.00 each, the said W. D. Thurman, J. C. Robison and Dr. E. G. Wheeler then and there being persons with whom the said J. E. McDonald was dealing in an official capacity as Commissioner of Agriculture of and for the State of Texas, the said bribe being given for the purpose of influencing the said J. E. McDonald in his official acts as Commissioner of Agriculture of the State of Texas, and the said J. E. McDonald was so influenced in his official acts and the said W. D. Thurman, J. C. Robison and Dr. E. G. Wheeler gained advantage and benefits thereby, all of which was done in violation of the laws of the State of Texas.

Article 6. That the said J. E. McDonald, acting in his official capacity as the Commissioner of Agriculture for the State of Texas, on divers occasions, from February 1st, 1934, to December 20th, 1934, did unlawfully, knowingly and wilfully withhold and divert from the credit of the special Racing Fund of the State Treasury of Texas, procreation fees amounting to \$16,196.00 by depositing the same in a bank in the City of Austin, Travis County, Texas, and did make withdrawals from said deposits in the sum of \$13,319.04, over the signature of the said J. E. McDonald; the said J. E. McDonald thereby withholding and diverting from the special Racing Fund of the Treasury of the State of Texas, the sum of \$16,196.00 in money, the said money then and there being a special fund belonging to the State of Texas, and being set apart by law for specific purposes towit: The available school fund, the Jack and Stallion Fund, the Department of Agriculture and the several counties of the State of Texas; all of which was done in violation of the laws of the State of Texas.

Article 7. That the said J. E. McDonald, while acting in his official capacity as Commissioner of Agriculture of the State of Texas, knowingly and wilfully distorted the records of the Department of Agriculture of the State of Texas, and comingled personal funds with public funds, and thereby was guilty of gross negligence of his official duties and incompetencies in the handling of public records and his official duties in office.

Article 8. That the said J. E. McDonald, during the year 1935, while acting in his official capacity as Commissioner of Agriculture of the State of Texas, knowingly and wilfully made and entered into, and connived and conspired with various caretakers of animals, certain and unlawful contracts for the purpose of unlawfully diverting from the Treasury of the State of Texas, certain procreation fees, required by law to be paid into the Treasury of the State of Texas, and permitted and caused and authorized certain caretakers to collect and retain said procreation fees, thereby depriving the special Racing Fund of the State of Texas of said fees into which they are required by law to be paid, all of which constituted a violation of the laws of the State of Texas.

Article 9. That during the years 1934 and 1935, the said J. E. McDonald, while acting in his official capacity as Commissioner of Agriculture of the State of Texas, knowingly, wilfully and unlawfully used his official office to promote the interests of milk, cream, baby chick and rice organizations, and to collect fees from divers sources without authority of law, and did during all of such time make disbursements of said fees so collected, the same constituting a gross abuse of official authority and a violation of the laws of the State of Texas.

Article 10. That the said J. E. McDonald, while acting in his official capacity as Commissioner of Agriculture of the State of Texas, during the year 1934, did wilfully and knowingly permit to be used and cause to be used, his official office in the furtherance of the affairs and business of private enterprises, towit: Harris & Voss, Cotton Brokers of New York City, and Anderson & Clayton Cotton Company, of Houston, Texas, that the said J. E. McDonald by so using his said office, benefitted personally and financially, the same constituting a gross and wilful abuse of authority and influence, and a violation of the laws of the State of Texas.

Article 11. That the said J. E. McDonald, during the months of June and July, 1935, wilfully, knowingly and unlawfully destroyed and caused to be destroyed certain public records in his care and custody, the nature and extent of which is well known to the said J. E. McDonald and those acting for him; that said records were destroyed for the purpose of preventing a committee of the Texas Legislature from ascertaining the contents thereof and for the purpose of impeding and thwarting justice with reference to matters above set forth.

Wherefore, premises considered, the House of Representatives of the Forty-Fourth Legislature of the State of Texas, does charge the said J. E. McDonald in the manner, by the means and of the offenses aforesaid; and further charges that he did thereby render himself unworthy and no longer fit to exercise the duties incumbent upon the Commissioner of Agriculture of the State of Texas.

And the House of Representatives, saving to itself the liberty of presenting at any future time during the

course of proceedings had hereon or hereafter, further articles of impeachment for other accusations against the said J. E. McDonald, and also of replying to his answer which he shall make under said Articles, if he does so file an answer, and of offering proof to sustain each and all of the above articles and to each and all other articles or accusations which might hereafter be made or which the case shall require, requests that the said J. E. McDonald be called on to answer the above articles of impeachment and that in such proceeding the examinations, trials and judgments thereof be had and given thereto as are agreeable to law and justice.

The resolution was read second time.

Mr. Walker moved that the resolution, with the articles of impeachment attached, be referred to the Committee on State Affairs.

Mr. Fain moved that the resolution, with the articles of impeachment attached, be referred to the Committee on Judiciary.

(Pending consideration of the resolution, Mr. Hanna occupied the Chair temporarily.)

(Speaker in the Chair.)

Mr. McCalla moved the previous question on the pending motions and the resolutions; and the main question was ordered.

Question recurring on the motion by Mr. Walker to refer the resolution to the Committee on State Affairs, it was lost.

Question then recurring on the motion by Mr. Fain to refer the resolution to the Committee on Judiciary, it was lost.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—62

Adamson	Cooper
Aikin	Craddock
Alsup	Crossley
Bourne	Daniel
Bradbury	Davis
Broyles	Davison of Fisher
Burton	Davisson
Butler of Karnes	of Eastland
Cagle	Dunlap of Hays
Canon	Dunlap of Kleberg
Collins	Fain
Colquitt	Farmer

Fox	McKinney
Frazer	Moffett
Gibson	Morris
Glass	Olsen
Hardin	Palmer
Harris of Archer	Patterson
Hartzog	Roane
Herzik	Rutta
Hodges	Scarborough
Hoskins	Sessions
Huddleston	Smith
Hunt	Steward
Hunter	Stinson
Jones of Wise	Tennyson
Keefe	Waggoner
King	Walker
Latham	Wood of Harrison
Lindsey	Wood of Montague
Lucas	Young
McConnell	

Nays—53

Adkins	Leath
Alexander	Leonard
Ash	Lotief
Caldwell	Luker
Calvert	McCalla
Celaya	Moore
Cowley	Morse
Dickison	Nicholson
Dunagan	Petsch
Duvall	Quinn
Dwyer	Reed of Bowie
Fisher	Reed of Dallas
Ford	Riddle
Fuchs	Roach of Angelina
Good	Roach of Hunt
Greathouse	Roark
Hanna	Rogers
Harris of Dallas	Russell
Head	Stovall
Hill	Tarwater
Hofheinz	Thornton
Holland	Tillery
James	Wells
Jones of Shelby	Westfall
Knetsch	Worley
Lange	Youngblood
Lanning	

Present—Not Voting

Butler of Brazos	Lemens
England	Newton
Hankamer	Shofner
Hyder	Venable
Jones of Falls	

Absent

Atchison	Colson
Beck	Graves
Bergman	Gray
Bradford	Howard
Clayton	Jackson

Jefferson	Pope
Jones of Atascosa	Reader
Mauritz	Roberts
Morrison	Stanfield
Payne	

Absent—Excused

Fitzwater	Padgett
McKee	Settle
McFarland	Spears

Mr. Hardin moved to reconsider the vote by which the resolution was adopted, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—50

Adamson	Hunter
Aikin	Jones of Wise
Alsup	Keefe
Bourne	King
Bradbury	Lange
Broyles	Latham
Butler of Karnes	Lindsey
Canon	Lucas
Cooper	McKinney
Craddock	Olsen
Crossley	Palmer
Daniel	Patterson
Davis	Roach of Angelina
Davison of Fisher	Roane
Davisson	Rutta
of Eastland	Sessions
Dunlap of Hays	Smith
Farmer	Steward
Fox	Tennyson
Frazer	Waggoner
Gibson	Walker
Hardin	Wood of Harrison
Harris of Archer	Wood of Montague
Hodges	Young
Hoskins	Youngblood
Hunt	

Nays—63

Adkins	Fain
Alexander	Fisher
Ash	Ford
Burton	Fuchs
Cagle	Glass
Caldwell	Good
Calvert	Greathouse
Collins	Hankamer
Colquitt	Hanna
Cowley	Harris of Dallas
Dickison	Hartzog
Dunagan	Head
Duvall	Hill
Dwyer	Hofheinz

Holland	Reader
Huddleston	Reed of Bowie
James	Reed of Dallas
Jones of Atascosa	Riddle
Jones of Shelby	Roach of Hunt
Knetsch	Roark
Lanning	Rogers
Leath	Russell
Leonard	Scarborough
Lotief	Stinson
Luker	Stovall
McCalla	Tarwater
Moffett	Thornton
Moore	Tillery
Morse	Wells
Nicholson	Westfall
Petsch	Worley
Quinn	

Present—Not Voting

Butler of Brazos	McConnell
England	Venable
Jones of Falls	

Absent

Atchison	Jackson
Beck	Jefferson
Bergman	Lemens
Bradford	Mauritz
Celaya	Morris
Clayton	Morrison
Colson	Newton
Dunlap of Kleberg	Payne
Graves	Pope
Gray	Roberts
Herzik	Shofner
Howard	Stanfield
Hyder	

Absent—Excused

Fitzwater	Padgett
McFarland	Settle
McKee	Spears

Mr. Reed of Bowie called up the motion to reconsider the vote by which the resolution was adopted.

Question recurring on the motion to reconsider, yeas and nays were demanded.

The motion to reconsider was lost by the following vote:

Yeas—62

Adkins	Dickison
Alexander	Dunagan
Ash	Dunlap of Kleberg
Bergman	Duvall
Caldwell	Dwyer
Calvert	Fisher
Clayton	Ford
Collins	Fuchs
Cowley	Glass

Good	Moore
Greathouse	Morrison
Hankamer	Morse
Hanna	Nicholson
Harris of Dallas	Payne
Head	Petsch
Herzik	Quinn
Hill	Reed of Bowie
Hofheinz	Riddle
Holland	Roach of Hunt
Huddleston	Roark
Jackson	Roberts
James	Rogers
Jefferson	Russell
Jones of Atascosa	Rutta
Jones of Falls	Stovall
Jones of Shelby	Tarwater
Knetsch	Thornton
Lanning	Tillery
Lotief	Walker
Luker	Westfall
Mauritz	Worley

Nays—62

Adamson	Hyder
Aikin	Jones of Wise
Alsup	Keefe
Bourne	King
Bradbury	Latham
Bradford	Leath
Broyles	Lindsey
Burton	Lucas
Butler of Karnes	McConnell
Canon	McKinney
Colquitt	Moffett
Cooper	Morris
Craddock	Olsen
Crossley	Palmer
Daniel	Patterson
Davis	Reed of Dallas
Davison of Fisher	Roach of Angelina
Davisson	Roane
of Eastland	Sessions
Dunlap of Hays	Shofner
Fain	Smith
Farmer	Stanfield
Fox	Steward
Frazer	Stinson
Gibson	Tennyson
Hardin	Venable
Harris of Archer	Waggoner
Hodges	Wood of Harrison
Hoskins	Wood of Montague
Howard	Young
Hunt	Youngblood
Hunter	

Present—Not Voting

Butler of Brazos	England
Cagle	Newton

Absent

Atchison	Lemens
Beck	Leonard
Celaya	McCalla
Colson	Pope
Graves	Reader
Gray	Scarborough
Hartzog	Wells
Lange	

Absent—Excused

Fitzwater	Padgett
McKee	Settle
McFarland	Spears

PAIRED

Mr. Cagle (present), who would vote "nay," with Mr. Pope (absent) who would vote "yea."

Mr. Dunlap of Hays moved that the minutes of the last hearing held by the committee be printed in todays Journal.

Mr. Caldwell moved as a substitute for the motion by Mr. Dunlap of Hays that the minutes of the last hearing held by the committee be printed in mimeograph form and placed on the desks of the members.

The substitute motion prevailed.

The motion as substituted prevailed.

RECESS

Mr. Worley moved that the House recess to 1:30 o'clock p. m., today.

Mr. Russell moved that the House recess to 2:00 o'clock p. m., today.

Question recurring on the motion by Mr. Russell, it prevailed, and the House, accordingly, at 12:10 o'clock p. m., took recess to 2:00 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2:00 o'clock p. m., and was called to order by the Speaker.

HOUSE BILL ON FIRST READING

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Collins, Mr. Colquitt, Mr. Reed of Dallas, Mr. Harris of Dallas, Mr. Stinson and Mr. Hanna:

H. B. No. 122, A bill to be entitled "An Act to amend Article 6243-a, Title 109, page 243, Second Supplement, Texas Revised Civil Statutes, as

amended by the Forty-third Legislature, 1933, providing for pensions on reaching the age of sixty-five of persons employed in the Fire, Police and Fire Alarm Operator's Departments of any incorporated city or town containing more than 240,000 inhabitants and less than 275,000 inhabitants, according to the last preceding Federal census, etc., and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

(Mr. Morse in the Chair.)

HOUSE BILL NO. 101 ON SECOND READING

(By unanimous consent.)

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 101, A bill to be entitled "An Act granting aid to the property in and inhabitants of Hidalgo County, Texas, and to Hidalgo County made necessary by reason of its location on the Gulf Coast and by reason of calamitous overflows, floods, storms and freezes which cause great destruction of property and loss of life; remitting, releasing, granting and donating to the property in and inhabitants of said County and to Hidalgo County all state ad valorem taxes levied or to be levied on property in said County, including the rolling stock of railroads and three-fourths of the state occupation taxes, for the years 1924 to 1948, both inclusive; providing that if any part of this Act be held unconstitutional it shall not affect any other part of this Act, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

(Speaker in the Chair.)

HOUSE BILL NO. 101 ON THIRD READING

Mr. Leonard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 101 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—89

Adkins	Bradford
Alsup	Burton
Bradbury	Butler of Brazos

Cagle	Jones of Wise
Caldwell	Keefe
Calvert	Knetsch
Canon	Lanning
Celaya	Latham
Clayton	Lemens
Collins	Leonard
Colquitt	Lucas
Cowley	Luker
Daniel	Mauritz
Davis	Moffett
Davison of Fisher	Moore
Davisson	Morrison
of Eastland	Morse
Dickison	Newton
Dunagan	Nicholson
Dunlap of Hays	Patterson
England	Payne
Fisher	Quinn
Fox	Reader
Fuchs	Reed of Dallas
Gibson	Roach of Hunt
Glass	Roark
Good	Roberts
Gray	Rogers
Greathouse	Rutta
Hankamer	Scarborough
Hanna	Sessions
Harris of Archer	Shofner
Harris of Dallas	Smith
Hartzog	Stanfield
Head	Steward
Hill	Stinson
Holland	Tennyson
Howard	Thornton
Huddleston	Tillery
Hunt	Venable
Hunter	Walker
James	Wells
Jefferson	Westfall
Jones of Falls	Wood of Montague
Jones of Shelby	Young

Nays—21

Adamson	Lindsey
Aikin	McCalla
Alexander	Morris
Beck	Reed of Bowie
Broyles	Roach of Angelina
Craddock	Stovall
Crossley	Waggoner
Fain	Wood of Harrison
Farmer	Worley
Hardin	Youngblood
Hofheinz	

Present—Not Voting

Herzik	McConnell
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Absent

Ash	Bergman
Atchison	Bourne

Butler of Karnes	Jones of Atascosa
Colson	King
Cooper	Lange
Dunlap of Kleberg	Leath
Duvall	Lotief
Dwyer	McKinney
Ford	Olsen
Frazer	Palmer
Graves	Petsch
Hodges	Riddle
Hoskins	Roane
Hyder	Russell
Jackson	Tarwater

Absent—Excused

Fitzwater	Pope
McFarland	Settle
McKee	Spears
Padgett	

The Speaker then laid House Bill No. 101 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—85

Adkins	Hill
Alsup	Holland
Ash	Hoskins
Bergman	Huddleston
Bradford	Hunter
Burton	Hyder
Butler of Brazos	James
Caldwell	Jefferson
Calvert	Jones of Falls
Celaya	Jones of Shelby
Clayton	Jones of Wise
Collins	Keefe
Colquitt	Lanning
Cowley	Latham
Daniel	Leonard
Davis	Lucas
Davisson	Luker
of Eastland	Mauritz
Dickison	McConnell
Dunagan	Moore
Dunlap of Hays	Morrison
Dunlap of Kleberg	Morse
England	Newton
Fisher	Nicholson
Fox	Olsen
Fuchs	Patterson
Gibson	Payne
Glass	Petsch
Good	Quinn
Gray	Reader
Greathouse	Reed of Dallas
Hankamer	Roach of Hunt
Hanna	Roane
Harris of Dallas	Roark
Hartzog	Roberts
Head	Rogers

Rutta	Tarwater
Scarborough	Thornton
Smith	Tillery
Spears	Wells
Stanfield	Westfall
Steward	Wood of Montague
Stinson	Young

Nays—29

Adamson	Lindsey
Aikin	McCalla
Alexander	Moffett
Beck	Morris
Broyles	Reed of Bowie
Cagle	Roach of Angelina
Canon	Shofner
Craddock	Stovall
Davison of Fisher	Tennyson
Fain	Venable
Farmer	Waggoner
Hardin	Wood of Harrison
Harris of Archer	Worley
Hofheinz	Youngblood
Lemens	

Present—Not Voting

Bradbury	Knetsch
Crossley	Sessions
Herzik	

Absent

Atchison	Hunt
Bourne	Jackson
Butler of Karnes	Jones of Atascosa
Colson	King
Cooper	Lange
Duvall	Leath
Dwyer	Lotief
Ford	McKinney
Frazer	Palmer
Graves	Riddle
Hodges	Russell
Howard	Walker

Absent—Excused

Fitzwater	Padgett
McFarland	Pope
McKee	Settle

Mr. Leonard moved to reconsider the vote by which House Bill No. 101 was passed.

The motion to reconsider prevailed.

House Bill No. 101 was then passed by the following vote:

Yeas—110

Adkins	Bradford
Alsup	Broyles
Ash	Burton
Bourne	Butler of Brazos
Bradbury	Butler of Karnes

Caldwell	Jones of Wise
Canon	Keefe
Celaya	King
Clayton	Knetsch
Collins	Lanning
Colquitt	Latham
Colson	Leonard
Cooper	Lucas
Cowley	Luker
Crossley	Mauritz
Daniel	McCalla
Davis	McConnell
Davison of Fisher	McKinney
Davison	Moore
of Eastland	Morrison
Dickison	Morse
Dunagan	Newton
Dunlap of Hays	Nicholson
Dunlap of Kleberg	Olsen
Duvall	Palmer
Dwyer	Patterson
England	Payne
Fisher	Petsch
Ford	Quinn
Fox	Reader
Frazer	Reed of Dallas
Fuchs	Roach of Angelina
Gibson	Roach of Hunt
Glass	Roane
Good	Roark
Gray	Roberts
Greathouse	Rogers
Hankamer	Russell
Hanna	Rutta
Harris of Dallas	Scarborough
Hartzog	Shofner
Herzik	Smith
Hill	Stanfield
Hodges	Steward
Holland	Stinson
Hoskins	Tarwater
Howard	Thornton
Huddleston	Tillery
Hunter	Walker
Hyder	Wells
Jackson	Westfall
James	Wood of Harrison
Jefferson	Wood of Montague
Jones of Atascosa	Worley
Jones of Falls	Young
Jones of Shelby	

Nays—19

Adamson	Hunt
Aikin	Lindsey
Alexander	Lotief
Atchison	Moffett
Beck	Reed of Bowie
Craddock	Stovall
Fain	Venable
Farmer	Waggoner
Harris of Archer	Youngblood
Hofheinz	

Present—Not Voting

Morris	Sessions
Absent	
Bergman	Lange
Cagle	Leath
Calvert	Lemens
Graves	Riddle
Hardin	Tennyson
Head	
Absent—Excused	
Fitzwater	Pope
McFarland	Settle
McKee	Spears
Padgett	

HOUSE BILL NO. 114 ON SECOND READING

(By unanimous consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 114, 'A bill to be entitled "An Act to aid Wharton County comprising one district and that portion of Matagorda County embraced in Commissioners' Precincts Numbers one, two, and four as described in the minutes of the Commissioners' Court of said county, comprising another district for the remaining portion of the period of time covered by the release of taxes to said district as made by Chapter 48, Acts Thirty-eighth Legislature, First, Second and Third Called Sessions, page 102 to 105 (Senate Bill No. 54) by donating and appropriating to said districts all the state ad valorem taxes levied and collected in said districts for general state purposes on all property, both real and personal, in said districts for the purpose of creating a fund for the payment of interest upon and creating a sinking fund for that certain issue or issues of bonds that were voted and issued under the authority of Chapter 48, Acts Thirty-eighth Legislature, First, Second, and Third Called Sessions, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 114 ON THIRD READING

Mr. Mauritz moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 114 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102

Adkins	Hyder
Alsup	James
Bourne	Jefferson
Bradbury	Jones of Falls
Bradford	Jones of Shelby
Burton	Jones of Wise
Butler of Karnes	Keefe
Cagle	Lanning
Caldwell	Latham
Calvert	Lemens
Canon	Leonard
Celaya	Lucas
Clayton	Mauritz
Collins	McConnell
Colquitt	Moffett
Colson	Moore
Cooper	Morrison
Cowley	Morse
Daniel	Newton
Davis	Nicholson
Davison of Fisher	Olsen
Davisson	Palmer
of Eastland	Patterson
Dickison	Payne
Dunagan	Petsch
Dunlap of Hays	Quinn
Dunlap of Kleberg	Reader
Duvall	Reed of Dallas
England	Roach of Hunt
Fisher	Roane
Ford	Roark
Fox	Roberts
Fuchs	Rogers
Gibson	Scarborough
Glass	Sessions
Good	Shofner
Gray	Smith
Greathouse	Stanfield
Hankamer	Steward
Hanna	Stinson
Harris of Archer	Tarwater
Harris of Dallas	Tennyson
Hartzog	Thornton
Head	Tillery
Herzik	Venable
Hill	Walker
Hodges	Wells
Holland	Westfall
Hoskins	Wood of Montague
Howard	Young
Huddleston	

Nays—23

Adamson	Fain
Aikin	Farmer
Alexander	Hardin
Beck	Hofheinz
Broyles	Hunt
Craddock	Hunter
Crossley	Lindsey

McCalla	Waggoner
Morris	Wood of Harrison
Reed of Bowie	Worley
Roach of Angelina	Youngblood
Stovall	

Present—Not Voting

Knetsch

Absent

Ash	King
Atchison	Lange
Bergman	Leath
Butler of Brazos	Lotief
Dwyer	Luker
Frazer	McKinney
Graves	Riddle
Jackson	Russell
Jones of Atascosa	Rutta

Absent—Excused

Fitzwater	Pope
McFarland	Settle
McKee	Spears
Padgett	

The Speaker then laid House Bill No. 114 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—92

Adkins	Gibson
Alsup	Glass
Bourne	Good
Bradbury	Gray
Bradford	Greathouse
Burton	Hankamer
Butler of Brazos	Hanna
Butler of Karnes	Hardin
Cagle	Harris of Dallas
Caldwell	Hartzog
Calvert	Head
Canon	Hill
Clayton	Hodges
Collins	Holland
Colquitt	Hoskins
Colson	Howard
Cooper	Huddleston
Cowley	Hunter
Daniel	Hyder
Davison of Fisher	James
Davisson	Jefferson
of Eastland	Jones of Falls
Dickison	Jones of Shelby
Dunagan	Jones of Wise
Dunlap of Hays	Keefe
Dunlap of Kleberg	Lanning
Duvall	Latham
England	Leonard
Fisher	Lucas
Fuchs	Mauritz

McConnell	Roberts
Moore	Rogers
Morrison	Rutta
Morse	Scarborough
Newton	Smith
Nicholson	Stanfield
Olsen	Steward
Palmer	Stinson
Patterson	Tarwater
Payne	Thornton
Petsch	Tillery
Quinn	Walker
Reader	Wells
Reed of Dallas	Westfall
Roach of Hunt	Wood of Montague
Roane	Young
Roark	

Nays—24

Adamson	Lemens
Aikin	Lindsey
Alexander	McCalla
Beck	Morris
Broyles	Reed of Bowie
Craddock	Roach of Angelina
Crossley	Stovall
Fain	Tennyson
Farmer	Venable
Harris of Archer	Waggoner
Hofheinz	Worley
Hunt	Youngblood

Present—Not Voting

Herzik	Sessions
Knetsch	

Absent

Ash	King
Atchison	Lange
Bergman	Leath
Celaya	Lotief
Davis	Luker
Dwyer	McKinney
Ford	Moffett
Fox	Riddle
Frazer	Russell
Graves	Shofner
Jackson	Wood of Harrison
Jones of Atascosa	

Absent—Excused

Fitzwater	Pope
McFarland	Settle
McKee	Spears
Padgett	

Mr. Mauritz moved to reconsider the vote by which House Bill No. 114 was passed.

The motion to reconsider prevailed.

House Bill No. 114 was then passed by the following vote:

Yeas—109

Adkins	Jefferson
Ash	Jones of Atascosa
Bergman	Jones of Falls
Bourne	Jones of Shelby
Bradbury	Jones of Wise
Bradford	Keefe
Broyles	King
Burton	Knetsch
Butler of Brazos	Lanning
Butler of Karnes	Latham
Caldwell	Leonard
Canon	Lotief
Celaya	Lucas
Clayton	Luker
Collins	Mauritz
Colquitt	McCalla
Colson	McConnell
Cooper	McKinney
Cowley	Moore
Crossley	Morrison
Daniel	Morse
Davis	Newton
Davison of Fisher	Nicholson
Davisson	Olsen
of Eastland	Palmer
Dickison	Patterson
Dunagan	Payne
Dunlap of Hays	Petsch
Dunlap of Kleberg	Quinn
Duvall	Reader
Dwyer	Reed of Dallas
England	Roach of Angelina
Fisher	Roach of Hunt
Ford	Roane
Fox	Roark
Frazer	Roberts
Fuchs	Rogers
Gibson	Russell
Glass	Rutta
Good	Scarborough
Gray	Shofner
Hankamer	Smith
Hanna	Stanfield
Harris of Dallas	Steward
Hartzog	Stinson
Herzik	Tarwater
Hill	Tennyson
Hodges	Thornton
Holland	Tillery
Howard	Walker
Huddleston	Wells
Hunter	Westfall
Hyder	Wood of Montague
Jackson	Worley
James	Young

Nays—19

Adamson	Craddock
Aikin	Fain
Atchison	Farmer
Beck	Hardin

Harris of Archer	Stovall
Hofheinz	Venable
Hunt	Waggoner
Lindsey	Wood of Harrison
Moffett	Youngblood
Reed of Bowie	

Present—Not Voting

Morris	Sessions
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Absent

Alexander	Hoskins
Alsup	Lange
Cagle	Leath
Calvert	Lemens
Graves	Padgett
Greathouse	Riddle
Head	

Absent—Excused

Fitzwater	Pope
McFarland	Settle
McKee	Spears

REQUESTING THE SENATE TO RETURN HOUSE CONCURRENT RESOLUTION NO. 13

Mr. Calvert offered the following resolution:

Be it resolved by the House of Representatives, That the Senate be requested to return House Concurrent Resolution No. 13, for correction.

The resolution was read second time, and was adopted.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House, and had read the following message from the Governor:

Austin, Texas, October 8, 1935.

To the Members of the Forty-fourth Legislature.

(In First Called Session):

Without any criticism of your deliberations thus far, I appeal to you to hasten the people's business. You have now been in session 23 days and have but 6 working days left. Practically all of the momentous problems you were called to deal with remain unsolved.

Most of you have toiled diligently and faithfully. It is no easy matter, of course, to intelligently legislate concerning liquor, fee systems, old age pensions and revenues in so short a time.

When this session was called, however, I submitted to you, in the order of their importance, urgent, emer-

gency matters, we simply must get something done during this session about the first two matters submitted—liquor and the substitution of salaries for the fee system.

The liquor traffic is at present totally unregulated. The State is losing tremendous revenues. There is no semblance of any orderly handling of the liquor traffic. All of us, both wets and dries, must concede that it will be nothing short of deplorable if this condition continues beyond the close of the session.

The constitutional amendment substituting salaries for fees stipulated that enabling legislation must be passed at the first called session of the Legislature; and that such salaries must be made effective by January 1st following such session. If a salary law is not passed at this session, even if another should be called, unless a two-thirds vote is secured on final passage, thousands of fee officers throughout the state might be without compensation of any kind.

I think I have demonstrated that I want to be fair with the members of this Legislature. So far as possible, I have endeavored to give you a free hand. For almost three weeks I have refused to submit any measures of any kind. At no time have I submitted any controversial measures whatever other than those dealing with constitutional amendments voted by the people.

Frankly, in view of the legislative jam that has developed, I will now be happy (and I am sure the people will also), if, at the end of this thirty day session, you have passed a reasonable liquor control measure, a salary bill for fee officers and a real chain store tax. We must get loose from this legislative jam! This is no time for petty bickering or filibusters. The occasion demands patriotism of the highest type. After all, any measures enacted will necessarily be experimental and on trial.

Things can be worked out if politics are "tabooed," and all of us will work together.

If this Legislature will only pass a reasonable liquor regulation bill, a salary statute and a chain store tax bill, and it is then necessary, I will feel justified in immediately calling another session to provide old age pensions.

I have heretofore held up a number of local bills, but they are of such

supreme importance to particular localities that I feel compelled to submit them in a separate message. They are non-controversial and, I believe, can be passed at two night sessions. I have discussed this with the Speaker and Lieutenant-Governor. They agree with me and state that, in their judgment, the two Houses would be happy to set aside two night sessions for these local matters.

I urge that, if necessary, we hold continued night sessions in order to certainly wind up liquor regulation, a salary system for fee officers and a chain store tax bill. This latter measure was incorporated in the State Democratic platform. It overwhelmingly passed the House, has been reported favorably by the Senate Committee on State Affairs and, in my judgment, should be disposed of once and for all.

Respectfully submitted,

JAMES V. ALLRED,
Governor of Texas.

MESSAGE FROM THE SENATE

Austin, Texas, October 8, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following

S. C. R. No. 6, Urging the Texas State Highway Commission to take proper steps to secure the co-operation of the Federal Government to make provision for use of labor in completing Davis Mountain State Park Highway and urging Texas Planning Commission to co-operate.

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 1 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 1, A bill to be entitled "An Act regulating the manufacture, sale, importation, transportation and possession of alcoholic liquors; levying taxes; prescribing penalties for violations; repealing conflicting laws and parts of laws and amending the same; and declaring an emergency."

The bill having heretofore been read second time with committee amend-

ment by Mr. Morse; as substituted by amendment by Mr. Bradbury, and amendment by Mr. Roane to the amendment by Mr. Bradbury, pending.

Mr. Roane withdrew the pending amendment and offered the following amendment in lieu thereof:

Amend Bradbury amendment to House Bill No. 1 by striking out first paragraph of Sec. 7, and inserting in lieu thereof the following, and also changing the word "Commissioner" wherever it appears in the bill to the word "Board."

"Sec. 7. There is hereby created a Board named the Texas Liquor Control Board, consisting of three persons, all of whom shall be appointed by the Governor, by and with the advice and consent of the Senate, and one of whom shall be designated by the Governor to be chairman of the said Board, and said members shall receive their actual expenses while engaged in the performance of their duties and a per diem of ten dollars per day while so engaged. Each member at the time of his appointment and qualification shall be a resident of the State of Texas and shall have resided in said State for a period of at least five (5) years next preceding his appointment and qualification, and he also shall be a qualified voter therein. Of the members initially appointed each shall hold office from the date of his appointment for the following respective terms, and until their respective successors shall qualify: One member for two (2) years, one for four (4) years, and one for six (6) years. Each member may be initially appointed on or subsequent to the date this Act goes into effect. The Governor, at the time of making and announcing the appointment of said three members, as well as in the commission issued by him to each of them, shall designate which of said members shall serve for each of the said respective terms, and also which shall be the Chairman of said Board.

"Upon the expiration of each of said terms, the term of office of each member thereafter appointed, shall be six (6) years from the time of his appointment and qualification, and until his successor shall qualify. In case any member shall be allowed to hold over after the expiration of his term, his successor shall be appointed for the balance of the unexpired term.

Vacancies in said Board shall be filled by the Governor for the unexpired term. Each member shall be eligible for reappointment in the discretion of the Governor. No person shall be eligible for appointment, or shall hold the office of member of the Board, or be appointed by the Board, or hold any office or position under the Board, who has any connection with any association, firm, person, or corporation, engaged in or conducting any alcoholic liquor business of any kind or who holds stock or bonds therein, or who has any pecuniary interest therein, nor shall any such person receive any commission or profit whatsoever from or have any interest whatsoever in the purchase, or sales, made by the Board, or by persons authorized by virtue of this Act to manufacture, purchase, or sell any alcoholic liquors. The soliciting and procuring of an endorsement of any member of the Legislature, for appointment, to any position under the control of the Board, shall disqualify the person receiving such endorsement from holding the position.

"The principal office of the Board shall be in the city of Austin, Texas.

"Each member of the Board shall give a good and sufficient bond to the State for twenty-five thousand dollars (\$25,000), conditioned upon the faithful performance of the duties of his office, the bond to be approved by the Governor and Attorney General and the premium to be paid from the fund herein provided for the Texas Liquor Control Board.

"The said Board shall meet at such times and places within the State of Texas as the Board shall determine, and the members thereof shall be entitled to their reasonable expenses for each meeting so attended, and the per diem hereinabove referred to. A majority of the members shall constitute a quorum for the transaction of any business, for the performance of any duty, or for the exercise of any power of the Board."

ROANE,
FORD.

Mr. Reed of Dallas offered the following substitute for the amendment by Mr. Roane:

"Amend Bradbury amendment to House Bill No. 1, by striking out the appointive provisions and providing in lieu thereof that the Board be composed of the Tax Commissioner, the Comptroller and the Attorney General."

The amendment was lost.

Mr. Lucas offered the following substitute for the amendment by Mr. Roane:

Amend Bradbury amendment to House Bill No. 1 by striking out the words "Tax Commissioner," "Commissioners" and "Commissioner," wherever they appear in the substitute and insert in lieu thereof the words "comptroller of Public Accounts," and by striking out the word "Commissioner's" wherever it appears and insert in lieu thereof the words "Comptroller of Public Accounts," and by striking out beginning with the word "the" line 14, page 3, down to and including the word "government," line 18.

LUCAS,
READER.

On motion of Mr. Harris of Dallas, the amendment was tabled.

Mr. Colquitt offered a substitute amendment for the amendment by Mr. Roane, which amendment was ordered not printed in the Journal, same having been printed in mimeograph form.

On motion of Mr. Fox, the amendment by Mr. Colquitt was tabled.

Mr. Hofheinz moved to table the amendment by Mr. Roane.

The motion to table was lost.

Question recurring on the amendment by Mr. Roane, it was adopted.

Mr. Jones of Atascosa offered the following amendments to the amendment by Mr. Bradbury:

Amend Section 45, line 19, page 30, of the Bradbury substitute as follows: By striking out all of said Section and inserting in lieu thereof the following:

"Any person, firm or corporation who shall violate any of the provisions of this Act or any rule or regulation of the Commission shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by fine of not less than Fifty dollars (\$50.00) nor more than Five hundred dollars (\$500.00) or by imprisonment in the County jail for not more than six months, or by both such fine and imprisonment; and for the second or subsequent violation such person, firm or corporation, upon conviction, shall be punished by a fine of not less than Two hundred dollars (\$200.00) and not more than One thousand dollars (\$1000.00), or by imprisonment in the County jail for not more than one year, or by both such fine and im-

prisonment; and in the case of a corporation such violation shall be construed to be the acts of the person committing the overt act and also the acts of the President and Secretary of said corporation, and in case of the unlawful acts as herein set out by said corporation, or any of its agents, such acts shall be deemed to be the acts of said President and Secretary and proof of violations by said corporation shall be sufficient proof as against said officials."

Amend Section 17 in line 28, page 12, of the Bradbury substitute by striking out the word "abated", in line 28, and inserting in lieu thereof the word "suspended."

The amendments were severally adopted.

Mr. Morse offered a substitute amendment for the amendment by Mr. Bradbury, which amendment was ordered not printed in the Journal, same having been printed in mimeograph form.

Mr. Fain moved to table the substitute amendment by Mr. Morse.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—71

Adamson	Hardin
Adkins	Harris of Archer
Aikin	Head
Alexander	Hodges
Alsup	Huddleston
Ash	Hunt
Atchison	Hunter
Bourne	Hyder
Bradbury	Jones of Atascosa
Bradford	Jones of Shelby
Broyles	Keefe
Burton	Lanning
Cagle	Latham
Canon	Leath
Cooper	Lemens
Cowley	Lindsey
Craddock	Lucas
Davis	McConnell
Davison of Fisher	McKinney
Dunlap of Hays	Moffett
Fain	Morris
Farmer	Morrison
Fisher	Palmer
Fox	Patterson
Gibson	Petsch
Glass	Quinn
Graves	Reed of Bowie
Gray	Roach of Angelina

Roach of Hunt	Venable
Rogers	Wells
Russell	Westfall
Sessions	Wood of Harrison
Shofner	Wood of Montague
Stovall	Worley
Tarwater	Youngblood
Tennyson	

Nays—59

Bergman	James
Butler of Brazos	Jefferson
Butler of Karnes	King
Caldwell	Knetsch
Celaya	Lange
Clayton	Lotief
Collins	Mauritz
Colquitt	McCalla
Crossley	Moore
Daniel	Morse
Dickison	Newton
Dunagan	Nicholson
Duvall	Olsen
Dwyer	Reader
Ford	Reed of Dallas
Frazer	Riddle
Fuchs	Roane
Good	Roark
Greathouse	Roberts
Hankamer	Rutta
Hanna	Scarborough
Harris of Dallas	Smith
Hartzog	Stanfield
Herzik	Steward
Hill	Stinson
Hofheinz	Thornton
Holland	Tillery
Hoskins	Walker
Howard	Young
Jackson	

Present—Not Voting

Calvert	England
Davisson	Jones of Wise
of Eastland	

Absent

Beck	Luker
Colson	Payne
Dunlap of Kleberg	Pope
Jones of Falls	Waggoner
Leonard	

Absent—Excused

Fitzwater	Padgett
McFarland	Settle
McKee	Spears

PAIRED

Mr. Jones of Wise (present), who would vote "yea", with Mr. McKee (absent) who would vote "nay."

Mr. England (present), who would vote "yea", with Mr. Colson (absent) who would vote "nay."

Mr. Calvert (present), who would vote "yea", with Mr. McFarland (absent) who would vote "nay."

Mr. Davisson of Eastland (present), who would vote "yea," with Mr. Spears (absent) who would vote "nay."

Mr. Quinn moved the previous question on the committee amendment as substituted by the amendment by Mr. Bradbury and the passage of House Bill No. 1 to engrossment, and the main question was ordered.

Question recurring on the committee amendment by Mr. Morse as substituted by amendment by Mr. Bradbury, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—95

Adamson	Greathouse
Adkins	Hardin
Aikin	Harris of Archer
Alexander	Hartzog
Alsup	Head
Ash	Hodges
Atchison	Huddleston
Bergman	Hunt
Bourne	Hunter
Bradbury	Hyder
Bradford	Jones of Atascosa
Broyles	Jones of Falls
Burton	Jones of Shelby
Butler of Brazos	Jones of Wise
Butler of Karnes	Keefe
Cagle	Lanning
Calvert	Latham
Canon	Lemens
Cooper	Lindsey
Cowley	Lotief
Craddock	Mauritz
Davis	McConnell
Davison of Fisher	McKinney
Davisson	Moffett
of Eastland	Morris
Dickison	Morrison
Dunagan	Palmer
Dunlap of Hays	Patterson
Duvall	Petsch
England	Quinn
Fain	Reed of Bowie
Farmer	Reed of Dallas
Fisher	Roach of Angelina
Ford	Roach of Hunt
Fox	Roark
Gibson	Roberts
Glass	Rogers
Graves	Russell
Gray	Scarborough

Sessions
Shofner
Smith
Stanfield
Steward
Stinson
Stovall
Tarwater
Tennyson

Tillery
Venable
Walker
Wells
Westfall
Wood of Harrison
Wood of Montague
Worley
Youngblood

Nays—35

Caldwell	Jackson
Clayton	James
Collins	Jefferson
Colquitt	King
Crossley	Lange
Daniel	Lucas
Dwyer	McCalla
Fuchs	Moore
Good	Morse
Hankamer	Newton
Hanna	Nicholson
Harris of Dallas	Pope
Herzik	Reader
Hill	Roane
Hofheinz	Rutta
Holland	Thornton
Hoskins	Young
Howard	

Absent

Beck	Leonard
Celaya	Luker
Colson	Olsen
Dunlap of Kleberg	Payne
Frazer	Riddle
Knetsch	Waggoner
Leath	

Absent—Excused

Fitzwater	Padgett
McFarland	Settle
McKee	Spears

By unanimous consent of the House the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 1 was then passed to engrossment by the following vote:

Yeas—112

Adamson	Bradbury
Adkins	Bradford
Aikin	Broyles
Alexander	Burton
Alsup	Butler of Brazos
Ash	Butler of Karnes
Atchison	Cagle
Beck	Caldwell
Bergman	Calvert
Bourne	Canon

Celaya	Leath
Clayton	Lemens
Cooper	Lindsey
Cowley	Lotief
Craddock	Luker
Crossley	Mauritz
Daniel	McConnell
Davis	McKinney
Davison of Fisher	Moffett
Dickison	Morris
Dunagan	Morrison
Dunlap of Hays	Morse
Duvall	Palmer
Dwyer	Patterson
England	Payne
Fain	Petsch
Farmer	Quinn
Fisher	Reader
Ford	Reed of Bowie
Fox	Reed of Dallas
Frazer	Roach of Angelina
Gibson	Roach of Hunt
Glass	Roane
Graves	Roark
Gray	Roberts
Greathouse	Rogers
Hanna	Russell
Hardin	Scarborough
Harris of Archer	Sessions
Harris of Dallas	Shofner
Hartzog	Stanfield
Head	Steward
Hill	Stinson
Howard	Stovall
Huddleston	Tarwater
Hunt	Tennyson
Hunter	Tillery
Hyder	Venable
Jones of Atascosa	Waggoner
Jones of Falls	Walker
Jones of Shelby	Wells
Jones of Wise	Westfall
Keefe	Wood of Harrison
King	Wood of Montague
Lanning	Worley
Latham	Youngblood

Nays—24

Collins	Knetsch
Colquitt	Lange
Fuchs	Lucas
Good	McCalla
Hankamer	Moore
Herzik	Newton
Hofheinz	Nicholson
Holland	Olsen
Hoskins	Pope
Jackson	Rutta
James	Thornton
Jefferson	Young

Present—Not Voting

Davisson
of Eastland

Absent

Colson	Leonard
Dunlap of Kleberg	Riddle
Hodges	Smith

Absent—Excused

Fitzwater	Padgett
McFarland	Settle
McKee	Spears

PAIRED

Mr. Davisson of Eastland (present), who would vote "yea", with Mr. Spears (absent) who would vote "nay."

HOUSE BILL NO. 1 ON THIRD READING

Mr. Morse moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—128

Adamson	England
Adkins	Fain
Aikin	Farmer
Alexander	Fisher
Alsup	Ford
Ash	Fox
Atchison	Fuchs
Beck	Gibson
Bergman	Glass
Bourne	Good
Bradbury	Graves
Bradford	Gray
Broyles	Greathouse
Burton	Hanna
Butler of Brazos	Hardin
Butler of Karnes	Harris of Archer
Cagle	Harris of Dallas
Caldwell	Hartzog
Calvert	Head
Canon	Herzik
Celaya	Hill
Clayton	Hodges
Cooper	Hofheinz
Cowley	Holland
Craddock	Hoskins
Crossley	Howard
Daniel	Huddleston
Davis	Hunt
Davison of Fisher	Hunter
Davisson	Hyder
of Eastland	Jackson
Dickison	James
Dunagan	Jones of Atascosa
Dunlap of Hays	Jones of Falls
Duvall	Jones of Shelby
Dwyer	Jones of Wise

Keefe	Reed of Dallas
King	Roach of Angelina
Lange	Roach of Hunt
Lanning	Roark
Latham	Roberts
Leath	Rogers
Lemens	Russell
Lindsey	Sessions
Lotief	Shofner
Luker	Smith
Mauritz	Stanfield
McCalla	Steward
McConnell	Stinson
McKinney	Stovall
Moffett	Tarwater
Moore	Tennyson
Morris	Thornton
Morrison	Tillery
Morse	Venable
Newton	Waggoner
Nicholson	Walker
Olsen	Wells
Palmer	Westfall
Patterson	Wood of Harrison
Payne	Wood of Montague
Petsch	Worley
Quinn	Young
Reader	Youngblood
Reed of Bowie	

Nays—10

Collins	Knetsch
Colquitt	Lucas
Frazer	Pope
Hankamer	Rutta
Jefferson	Scarborough

Absent

Colson	Riddle
Dunlap of Kleberg	Roane
Leonard	

Absent—Excused

Fitzwater	Padgett
McFarland	Settle
McKee	Spears

The Speaker then laid House Bill No. 1 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—119

Adamson	Bourne
Adkins	Bradbury
Aikin	Bradford
Alexander	Burton
Alsup	Butler of Brazos
Ash	Butler of Karnes
Atchison	Cagle
Reck	Caldwell
Bergman	Calvert

Canon	Leath
Celaya	Lemens
Clayton	Leonard
Cooper	Lindsey
Cowley	Lotief
Craddock	Luker
Crossley	Mauritz
Daniel	McConnell
Davis	McKee
Davison of Fisher	McKinney
Davisson	Moffett
of Eastland	Moore
Dunagan	Morris
Dunlap of Hays	Morrison
Duvall	Morse
Dwyer	Nicholson
England	Palmer
Fain	Patterson
Farmer	Payne
Fisher	Petsch
Ford	Quinn
Fox	Reed of Bowie
Gibson	Reed of Dallas
Glass	Riddle
Good	Roach of Angelina
Graves	Roach of Hunt
Gray	Roark
Greathouse	Roberts
Hanna	Rogers
Hardin	Russell
Harris of Archer	Scarborough
Harris of Dallas	Sessions
Hartzog	Shofner
Head	Smith
Herzik	Stanfield
Hodges	Steward
Hoskins	Stinson
Howard	Stovall
Huddleston	Tarwater
Hunt	Tennyson
Hunter	Tillery
Hyder	Venable
Jackson	Waggoner
Jones of Atascosa	Walker
Jones of Falls	Wells
Jones of Shelby	Westfall
Jones of Wise	Wood of Harrison
Keefe	Wood of Montague
King	Worley
Lanning	Young
Latham	Youngblood

Nays—23

Broyles	James
Collins	Jefferson
Colquitt	Knetsch
Dickison	Lange
Frazer	Lucas
Fuchs	McCalla
Hankamer	Newton
Hill	Olsen
Hofheinz	Pope
Holland	Reader

Roane	Thornton
Rutta	Absent
Colson	Dunlap of Kleberg
	Absent—Excused
Fitzwater	Settle
McFarland	Spears
Padgett	

REASONS FOR VOTE ON HOUSE BILL NO. 1

We voted against the engrossment of House Bill No. 1, as substituted by the Bradbury amendment, the suspension of the Constitutional Rule thereon, and the final passage thereof, because of the fact that the bill represents the united efforts of the "dry" bloc to defeat the effect of repeal of Constitutional prohibition and serves to thwart the will of the people expressed at the polls, and by its provisions will serve to encourage rather than discourage intemperance, and by its terms will increase rather than decrease the activities of the bootlegger, and will, by its unreasonable restrictions, deprive the State of Texas of the much needed revenue from the sale of distilled liquors which was anticipated to be forthcoming at the time the citizens of Texas voted for repeal.

HANKAMER,
KNETSCH,
FRAZER.

I voted against House Bill No. 1, as it finally passed the House, because I do not believe that under its provisions, if not corrected in free conference, the illicit liquor traffic and the bootlegger can be effectively outlawed, and the liquor traffic sanely and effectively regulated. If the free conference committee writes a bill, that will carry out the will of the people as expressed by them at the polls on August 24, effectively abolishing the open saloon, promoting temperance, and effectively regulating the liquor traffic, I expect to support the conference report.

RUTTA.

HOUSE BILL NO. 14 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 14, A bill to be entitled "An Act to amend Section 9 of Chapter 116, General Laws of the State of

Texas, passed by the Forty-third Legislature, relating to the manufacture and sale of beer in Texas, so as to make it unlawful for any manufacturer or distributor of beer, directly or indirectly or through a subsidiary or affiliate, and agent or any employee, or by any officer, director or firm member, to own any interest in premises or the license upon or under which beer is sold for consumption on the premises; etc., and declaring an emergency."

The bill having been read second time on Friday, September 27.

Mr. Colquitt offered the following amendment to the bill:

Amend House Bill No. 14, page 6, line 39, by striking out the words "one (1) year" and inserting in lieu thereof the words "two (2) years."

The amendment was adopted.

House Bill No. 14 was then passed to engrossment.

HOUSE BILL NO. 14 ON THIRD READING

Mr. Morse moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 14 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—123

Adamson	Davis
Adkins	Davisson
Aikin	of Eastland
Alexander	Dickison
Alsup	Dunagan
Ash	Dunlap of Hays
Atchison	Duvall
Beck	Dwyer
Bergman	Fain
Bourne	Farmer
Bradbury	Fisher
Broyles	Ford
Burton	Fox
Butler of Karnes	Frazer
Cagle	Gibson
Caldwell	Glass
Canon	Good
Celaya	Graves
Clayton	Gray
Collins	Greathouse
Colquitt	Hankamer
Cooper	Hanna
Cowley	Hardin
Craddock	Harris of Archer
Crossley	Harris of Dallas
Daniel	Hartzog

		Yeas—128	
Herzik	Palmer	Adamson	Hunt
Hodges	Patterson	Adkins	Hunter
Hofheinz	Petsch	Aikin	Hyder
Holland	Pope	Alexander	Jackson
Hoskins	Quinn	Alsup	James
Howard	Reader	Ash	Jefferson
Huddleston	Reed of Bowie	Atchison	Jones of Falls
Hunt	Reed of Dallas	Beck	Jones of Shelby
Hyder	Roach of Angelina	Bergman	Jones of Wise
Jackson	Roach of Hunt	Bourne	Keefe
James	Roane	Bradbury	Knetsch
Jefferson	Roark	Bradford	Lanning
Jones of Falls	Roberts	Broyles	Latham
Jones of Shelby	Russell	Burton	Leath
Jones of Wise	Rutta	Butler of Brazos	Leonard
Keefe	Scarborough	Butler of Karnes	Lindsey
Knetsch	Sessions	Cagle	Lotief
Lanning	Shofner	Caldwell	Lucas
Latham	Smith	Canon	Luker
Leath	Stanfield	Celaya	Mauritz
Leonard	Steward	Clayton	McConnell
Lindsey	Stinson	Collins	McKinney
Lotief	Stovall	Colquitt	Moffett
Lucas	Tennyson	Cooper	Moore
Luker	Thornton	Cowley	Morris
Mauritz	Tillery	Craddock	Morrison
McCalla	Venable	Crossley	Morse
McConnell	Waggoner	Daniel	Newton
Moffett	Walker	Davis	Nicholson
Moore	Wells	Davisson	Olsen
Morris	Westfall	of Eastland	Palmer
Morrison	Wood of Harrison	Dickison	Patterson
Morse	Wood of Montague	Dunagan	Payne
Newton	Worley	Dunlap of Hays	Petsch
Nicholson	Young	Dwyer	Quinn
Olsen	Youngblood	England	Reader
Present—Not Voting		Fain	Reed of Bowie
Davison of Fisher		Farmer	Reed of Dallas
Absent		Fisher	Roach of Angelina
Bradford		Ford	Roach of Hunt
Butler of Brazos		Fox	Roane
Calvert		Frazer	Roark
Colson		Fuchs	Roberts
Dunlap of Kleberg		Gibson	Rogers
England		Glass	Russell
Fuchs		Good	Rutta
Head		Graves	Scarborough
Hill		Gray	Sessions
Hunter		Greathouse	Shofner
Absent—Excused		Hankamer	Smith
Fitzwater		Hanna	Stanfield
McFarland		Hardin	Steward
McKee		Harris of Archer	Stinson
		Harris of Dallas	Stovall
		Hartzog	Tennyson
		Herzik	Thornton
		Hill	Tillery
		Hodges	Venable
		Hofheinz	Waggoner
		Holland	Walker
		Hoskins	Wells
		Huddleston	Westfall

The Speaker then laid House Bill No. 14 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Wood of Harrison Young
Wood of Montague Youngblood
Worley

Present—Not Voting

Davison of Fisher

Absent

Calvert	King
Colson	Lange
Dunlap of Kleberg	Lemens
Duvall	McCalla
Head	Riddle
Howard	Tarwater
Jones of Atascosa	

Absent—Excused

Fitzwater	Pope
McFarland	Settle
McKee	Spears
Padgett	

MOTION TO TAKE UP HOUSE BILL NO. 16

Mr. Hofheinz moved that the House take up for consideration at this time, House Bill No. 16.

Question recurring on the motion by Mr. Hofheinz, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—32

Adkins	Leath
Broyles	Lotief
Cagle	Lucas
Craddock	Luker
Daniel	McConnell
Davisson	Morrison
of Eastland	Morse
Fain	Reed of Dallas
Farmer	Roach of Angelina
Glass	Roach of Hunt
Greathouse	Scarborough
Hardin	Shofner
Hofheinz	Smith
Huddleston	Tillery
Hunt	Worley
Jones of Wise	Youngblood
Keefe	

Nays—94

Adamson	Burton
Aikin	Butler of Brazos
Alexander	Butler of Karnes
Alsup	Caldwell
Atchison	Canon
Bergman	Clayton
Bourne	Collins
Bradbury	Colquitt
Bradford	Cooper

Cowley	Lindsey
Crossley	Mauritz
Davis	McCalla
Dickison	McKinney
Dunagan	Moffett
Dunlap of Hays	Moore
Duvall	Morris
Fisher	Newton
Ford	Nicholson
Fox	Olsen
Frazer	Palmer
Fuchs	Patterson
Gibson	Payne
Good	Petsch
Graves	Reader
Gray	Reed of Bowie
Hankamer	Riddle
Hanna	Roane
Harris of Archer	Roark
Harris of Dallas	Rogers
Hartzog	Russell
Herzik	Rutta
Hill	Sessions
Hodges	Stanfield
Howard	Steward
Hunter	Stinson
Hyder	Stovall
Jackson	Tarwater
James	Tennyson
Jefferson	Thornton
Jones of Atascosa	Venable
Jones of Falls	Waggoner
Jones of Shelby	Walker
King	Wells
Knetsch	Westfall
Lanning	Wood of Harrison
Latham	Wood of Montague
Leonard	Young

Present—Not Voting

Davison of Fisher Holland

Absent

Ash	England
Beck	Head
Calvert	Hoskins
Celaya	Lange
Colson	Lemens
Dunlap of Kleberg	Quinn
Dwyer	Roberts

Absent—Excused

Fitzwater	Pope
McFarland	Settle
McKee	Spears
Padgett	

REASON FOR VOTE

I voted to take up House Bill No. 16, the Old Age Pension Bill, ahead of H. B. 43, the Salary Bill, in order that we might pass the pension bill at this

session and not delay it to later sessions. The people want the pension payments made and not delayed and therefore, I am against delaying it at all.

JESSE E. ROACH.

HOUSE BILL NO. 43 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 43, A bill to be entitled "An Act relating to the compensation of district, and certain designated county and precinct officers and providing the method and means by which such officers shall be compensated for their services; providing for the appointment and payment of deputies, assistants and clerks in district, county, and precinct offices; limiting the payment of fees and commissions by the State in certain instances; requiring the keeping of books and records by such officers and the making of reports to designated authorities; etc., and declaring an emergency."

The bill was read second time.

Mr. England offered for consideration at this time, Committee Amendment No. 1, which amendment was ordered not printed in the Journal, same having been printed in connection with the bill.

Question — Shall the Committee Amendment be adopted?

MESSAGE FROM THE SENATE

Austin, Texas, October 8, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. S. R. No. 37, Requesting the return of H. C. R. No. 13 for correction.

Respectfully,

BOB BARKER,
Secretary of the Senate.

ADJOURNMENT

Mr. Westfall moved that the House adjourn until 9:30 o'clock a. m., tomorrow.

Mr. Collins moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Jones of Wise moved that the House recess to 8:00 o'clock p. m., today.

Question first recurring on the motion by Mr. Westfall, it prevailed, and the House, accordingly, at 5:20 o'clock p. m., adjourned until 9:30 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The Committee on Revenue and Taxation filed a favorable report on House Bill No. 85.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, October 7, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 83, A bill to be entitled "An Act fixing the compensation of District Attorneys in Judicial Districts composed of two or more counties; providing that this Act shall not deprive such District Attorneys of their expense allowance; providing for the disposition of fees, commissions and perquisites earned and collected by such District Attorneys; etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

Committee Room,

Austin, Texas, October 8, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. C. R. No. 10, Relative to the disposition of certain State equipment.

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

Committee Room,

Austin, Texas, October 8, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. C. R. No. 13, Be it resolved by the House of Representatives, the

Senate concurring, That Sections 22 and 23 of the joint rule and sub-section 5 of Section 11 of the Senate Rules and Section 6 of Rule 19 of the House Rules, all be suspended, for the purpose of taking up and considering until finally disposed of House Bills 1, 16, and 43.

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

Committee Room,
Austin, Texas, October 8, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 114, A bill to be entitled "An Act to aid Wharton County comprising one district and that portion of Matagorda County embraced in Commissioners' Precincts Numbers one, two, and four as described in the minutes of the Commissioners' Court of said county, comprising another district for the remaining portion of the period of time covered by the release of taxes to said district as made by Chapter 48, Acts Thirty-eighth Legislature, First, Second and Third Called Sessions, page 102 to 105 (Senate Bill No. 54) by donating and appropriating to said districts all the state ad valorem taxes levied and collected in said districts for general state purposes on all property, both real and personal, in said districts for the purpose of creating a fund for the payment of interest upon and creating a sinking fund for that certain issue or issues of bonds that were

voted and issued under the authority of Chapter 48, Acts Thirty-eighth Legislature, First, Second, and Third Called Sessions, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

Committee Room,
Austin, Texas, October 8, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 101, A bill to be entitled "An Act granting aid to the property in and inhabitants of Hidalgo County, Texas, and to Hidalgo County made necessary by reason of its location on the Gulf Coast and by reason of calamitous overflows, floods, storms and freezes which cause great destruction of property and loss of life; remitting, releasing, granting and donating to the property in and inhabitants of said County and to Hidalgo County all state ad valorem taxes levied or to be levied on property in said County, including the rolling stock of railroads and three-fourths of the state occupation taxes, for the years 1924 to 1948, both inclusive; providing that if any part of this Act be held unconstitutional it shall not affect any other part of this Act, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

In Memory of General Jacob F. Wolters

Mr. McCalla offered the following resolution:

Whereas, The House of Representatives has just learned with sorrow of the passing of General Jacob F. Wolters of Houston, and

Whereas, This esteemed citizen of Texas served his State with distinction as a member of the Legislature, as County Attorney of Fayette County and as Brigadier General of the 56th Cavalry Brigade, and

Whereas, General Wolters was known by, and respected by, not only the public officials of the State, but the rank and file of its citizenry, and

Whereas, In his passing the State has lost the services of a noted soldier and citizen, therefore

Be It Resolved by the House of Representatives of the Forty-fourth Legislature, That the sympathy of the entire membership of this body be extended to his bereaved family and that when the House stands adjourned today it do so out of respect to the memory of Jacob F. Wolters.

Be It Further Resolved, That a copy of this resolution be sent to his family and that a copy be spread upon the House Journal, and that a suitable floral offering be sent.

McCALLA,
HOWARD,
HOFHEINZ,
MORSE,
HOLLAND,
COLQUITT,
COLLINS,
HARRIS of Dallas,
REED of Dallas,
STINSON,
HANNA,
YOUNG,
THORNTON,
HERZIK,
GRAVES.

The resolution was read second time.

Signed—Stevenson, Speaker; Adamson, Adkins, Aikin, Alexander, Alsup, Ash, Atchison, Beck, Bergman, Bourne, Bradbury, Bradford, Broyles, Burton, Butler of Brazos, Butler of Karnes, Cagle, Caldwell, Calvert, Canon, Celaya, Clayton, Colson, Cooper, Cowley, Craddock, Crossley, Daniel, Davis, Davison of Fisher, Davisson of Eastland, Dickison, Dunagan, Dunlap of Kleberg, Dunlap of Hays, Duvall, Dwyer, England, Fain, Farmer, Fisher, Fitzwater, Ford, Fox, Frazer, Fuchs, Gibson, Glass, Good, Gray, Greathouse, Hankamer, Hardin, Harris of Archer, Hartzog, Head, Hill, Hodges, Hoskins, Huddleston, Hunt, Hunter, Hyder, Jackson, James, Jefferson, Jones of Wise, Jones of Shelby, Jones of Falls, Jones of Atascosa, Keefe, King, Knetsch, Lange, Lanning, Latham, Leath, Lemens, Leonard, Lindsey, Lotief, Lucas, Luker, Mauritz, McConnell, McFarland, McKee, McKinney, Moffett, Moore, Morris, Morrison, Newton, Nicholson, Olsen, Padgett, Palmer, Patterson, Payne, Petsch, Pope, Quinn, Reader, Reed of Bowie, Riddle, Roach of Hunt, Roach of Angelina, Roane, Roark, Roberts, Rogers, Russell, Rutta, Scarborough, Sessions, Settle, Shofner, Smith, Spears, Stanfield, Steward, Stovall, Tarwater, Tennyson, Tillery, Venable, Waggoner, Walker, Wells, Westfall, Wood of Montague, Wood of Harrison, Worley, Youngblood.

On motion of Mr. Graves the names of all the members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.